



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

December 1, 2009

Subject: Race to the Top Assessment Program

The Consortium for Citizens with Disabilities is a coalition of nearly 100 national consumer, advocacy, provider and professional organizations headquartered in Washington, D.C. Since 1973, CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the 54 million children and adults with disabilities are fully integrated into the mainstream of society. Students who receive special education supports and services account for 13.5% of public school enrollment. They are disproportionately minorities and 24% of students receiving special education live in poverty as compared to 16% of the general population (Source: Overview Of Findings From Wave 1 Of The Special Education Elementary Longitudinal Study (SEELS), June 2004.) Approximately 50 national organizations participate in the CCD Education Task Force.

CCD believes that the development of common, high-quality assessments aligned with a common set of K-12 standards provides an unprecedented opportunity for equity among diverse learners, including students with disabilities.

As the Department considers the development of the Race to the Top Assessment Competition, CCD urges the Department to focus on the following areas for the next generation of summative assessments:

1. Create assessments that are accessible to diverse learners.
2. Create better Alternate Assessments based on Alternate Achievement Standards (AA-AAS).
3. Do Not Fund the Development of the Alternate Assessment based on Modified Achievement Standards.
4. Require assessments that embed individual student accommodations and allow student control over the test environment.
5. Require research to support any testing accommodation considered as non-standard.
6. Require any "adaptive testing" be aligned with grade-level standards.
7. Require empirical analyses of test items including the study of interactions between specific items and specific student populations.
8. Create assessments that provide meaningful feedback to educators and families.

## 1. Create assessments that are accessible to diverse learners.

CCD believes the true solution is to design assessment systems differently from the start, creating them from the outset to be accurate for the widest range of students, including those with disabilities. Universal Design for Learning (UDL) provides the foundation for research-based guidelines for creating flexible and valid on-line, computer-based assessments (see *Universal Design for Computer-Based Testing Guidelines* Pearson Educational Measurement & CAST, June, 2009; <http://www.pearsonedmeasurement.com/cast/index.html>) building upon prior physical and sensory access-oriented Universal Design for Assessment work (Thompson, Johnstone, & Thurlow, 2002).

A UDL approach also offers guidance for enhancing student engagement and persistence. Flexibility in recruiting attention, sustaining effort and supporting self-regulation are all highly individualized and nearly impossible to address without employing the inherent transformability, discrimination and data collection of digital media. The proponents of computer adaptive testing often point to the “automatic” difficulty adjustments of that approach as enhancing student engagement by decreasing the challenge presented to them. This is the same rationale used to support the simplification of the curriculum for struggling students, identical to the “out of level” testing that results in moving students with disabilities further away from the mainstream curriculum. Universal Design for Learning seeks to maintain high achievement standards for all students through the use of customized scaffolds and supports that reinforce the importance of maintaining grade-level expectations for all learners.

While UDL was originally conceived for students with disabilities, CCD believes it is critical to recognize that UDL can benefit all students. UDL offers a way to design assessments that will accommodate flexible goals and needs for a variety of learners. By presenting material through several means, assessments that are based on UDL allow several types of learners to access the material and demonstrate their knowledge.

UDL offers ways to address multiple learning needs and provide a better picture of student’s abilities. An assessment can only be considered an accurate picture of a student’s knowledge and skills if it is designed to allow a student to most effectively demonstrate what they know. Funding grants which incorporate principles of UDL is essential to help reveal a more accurate picture of how all students perform.

Therefore, as the Department moves forward in considering what elements grantees should include in their application, CCD urges the Department to include UDL and utilize the Center for Applied Special Technology (CAST) and the National UDL Taskforce, as valuable resources.

CCD also urges the Department to fund innovative test delivery models particularly on-line or digital delivery systems. The advantages of online assessment include:

- immediate score reporting so test results can guide instruction
- decreased administrative burdens on school personnel
- increased security of testing materials, and
- more flexible test scheduling.

Additionally, online/digital assessment environments allow maximum flexibility for any additional individual accommodations required by students.

Digital technologies offer a flexible base for representing assessment items in multiple ways and with which the equivalence of underlying constructs can be maintained (Honey, Pansnik, Fasca, 2007; Rose, Meyer, & Hitchcock, 2005; Meyer & Rose, 2006). Digital multimedia can present the same underlying construct in different “surface” representations - text, audio, image, video, etc., thereby reaching a greater range of student. Further, the ease by which digital tools can discriminate one item from another can be used to provide each student with customized supports for construct irrelevant items while simultaneously diminishing those supports for the items actually being assessed.

Digital media can also allow students to express what they know in multiple ways. For response demands to be equivalent for all students (a prerequisite for test validity), students must be allowed to respond optimally, employing areas of strength. If students can respond in flexible and customizable ways, construct-irrelevant barriers can be significantly reduced.

## **2. Create Better Alternate Assessments based on Alternate Achievement Standards.**

As you know, current federal regulations allow states to develop and administer alternate assessments based on alternate achievement standards (AA-AAS) for a limited number of students with the most significant cognitive disabilities. While this policy has been in place for some time, the consistency and availability of these assessments varies widely between states. A recent study by the National Center for Special Education Research, within the Institute Of Education Sciences, found that many states approach the AA-AAS differently (Cameto, R., Knokey, A.-M., Nagle, K., Sanford, C., Blackorby, J., Sinclair, B., and Riley, D. (2009). Some states use a portfolio or body of evidence to constitute the entire assessment. Others use techniques such as a rating scale/checklist, performance task/events, or multiple choice/constructed response assessments. The inconsistent approach to these assessments across states creates varying standards and expectations and fails to provide the information we need to accurately judge programs.

We also know from a new 7-state survey conducted by the National Alternate Assessment Center that 75 percent of the students participating in state AA-AAS are reading sight words and using a calculator to do basic math operations. This finding suggests that many students assigned to this assessment may, in fact, be capable of participating in more rigorous assessments.

## **3. Do Not Fund the development of Alternate Assessments Based on Modified Achievement Standards (AA-MAS) through this grant program.**

Many students with disabilities can achieve grade-level work when given the right access to high quality instruction, with qualified teachers and appropriate accommodations for both instruction and assessment. In fact, we now know from data collected by the National Center on Educational Outcomes (NCEO) and through grant-funded work among several states that students with disabilities perform across the proficiency range on state assessments (performance achieved without full and equitable access to instruction in the general curriculum by qualified teachers). IDEA eligibility does not and should not pre-determine that a student will perform below grade level. In fact, several studies confirm that students without disabilities perform well below grade level. Thus, many states are opting to not develop the AA-MAS.

#### **4. Require assessments that embed individual student accommodations and allow student control over the test environment.**

Researchers have developed systems of online testing environments that provide accommodations that adjust to individual student preferences on demand (such as those developed by Nimble Assessment Systems) as well as online accommodations decision-making tools (such as STELLA developed by Rebecca Kopriva and colleagues at the University of Wisconsin) that increase test validity. Research shows that accommodations delivered within a computer-based testing environment increase the consistency and integrity of accommodations and result in improved utilization by the student. Students should be provided with an optimum testing environment that allows maximum student engagement and persistence.

#### **5. Require research to support any testing accommodation considered as non-standard.**

Studies conducted on testing accommodations show that many states are currently implementing test accommodation guidelines that are not defensible through research. While test development employing UDL coupled with online testing environments are sure to eliminate the need for many test accommodations required in traditional tests, some accommodations will continue to be needed by certain students. Common assessments based on a common set of standards provide for the development of a common set of test accommodations across states. Any accommodation considered to be construct-relevant—to impact the skill being measured by the test—must be supported by rigorous research evidence. The standardization of test accommodations across states will dramatically improve both the validity and comparability of test results, making test data more useful to educators, parents and policymakers.

#### **6. Require any “adaptive testing” be aligned with grade-level standards.**

While online testing environments hold great promise, they also offer opportunity to lower student expectations through “adaptive” approaches that adjust item difficulty based on student responses. Such approaches are not appropriate for summative assessments used for system accountability. While computer adaptive testing might be useful for formative assessment, its use in summative assessment would surely lead to a decrease in the challenge to certain students and a lowering of academic expectations for those students. The current ESEA testing requirements do not allow for “out-of-level” testing. This standard has resulted in the demise of a heretofore-widespread practice for students with disabilities. Today, schools are being held accountable for the performance of students with disabilities on general assessments with only limited exceptions. This advancement has resulted in improved access to the general curriculum, expanded learning opportunities and heightened expectations for millions of students. Therefore, any computer adaptive testing developed under this assessment program initiative for use as a summative assessment must be aligned to grade-level standards verifiable through rigorous peer review. No exceptions for diverse learners such as students with disabilities and English language learners should be permitted.

#### **7. Require empirical analyses of test items including the study of interactions between specific items and specific student populations.**

Test items should be analyzed to ensure that they do not disadvantage certain populations of students in their format and/or linguistic complexity. Research studies, such as cognitive labs, should be designed to investigate the interaction between students and test items. Interactions will differ within one broadly defined population of students (for example students with learning

disabilities); therefore reviewing items in the absence of their specific interactions with students is insufficient. For assessments to provide useful results, all learners and their specific needs must be included in test development procedures, the field-testing of items, and post-hoc analyses of item by student interactions.

## **8. Create Assessments that Provide Meaningful Feedback to Educators & Families**

As the Department considers its grant proposal, CCD encourages the Department to place a strong emphasis on the importance of creating assessments that yield meaningful information for educators and families. Assessments should be tools that help inform instruction, identify areas of strength and weakness, and help inform decision making. However, assessments can only be effective if they are presented in a way that enables a student to accurately demonstrate their knowledge and skill. Educators need meaningful professional development to help them understand how to use assessment data to inform and drive instruction. Parents need to understand what complex scores show about how their child is learning, and educators must be able to describe results and help parents interpret this complex data meaningfully.

To this end, CCD encourages the Department to fund grants that included professional development and training. Considering how assessments can provide meaningful feedback to educators and parents from the first stage of assessment creation will help ensure their success.

Thank you for the opportunity to comment on this important initiative.

Sincerely,

American Association of People with Disabilities  
Association of University Centers on Disabilities  
Children and Adults with Attention-Deficit/Hyperactivity Disorder  
Council of Parent Attorneys and Advocates  
Council for Learning Disabilities  
Disability Rights Education and Defense Fund  
Easter Seals  
Helen Keller National Center  
Learning Disabilities Association of America  
National Coalition on Deaf-Blindness  
National Disability Rights Network  
National Down Syndrome Congress  
National Down Syndrome Society  
School Social Work Association of America  
The Advocacy Institute  
The Arc of the United States  
The National Alliance on Mental Illness  
The National Center for Learning Disabilities  
The National Parent Teacher Association  
United Cerebral Palsy

